



Procedures for Managing Allegations against People who work with Children and Young People

Believe * Achieve * Succeed

Adopted from Bolton Safeguarding Children Partnership &
Greater Manchester Safeguarding Children Partnership.

September 2024



	CONTENTS	Page
1.	<u>Introduction</u>	4
1.1	Duty placed upon Local Safeguarding Children Boards	4
1.2	Duty placed upon organisations	4
1.3	What is an allegation?	4
2.	<u>Principles</u>	5
2.1	What do we mean by professional?	5
2.1	Who is the procedure for?	5
3.	<u>Key roles</u>	5
4.	<u>The Process</u>	6
4.1	The criteria for referral to LADO	6
4.2	When to contact the LADO	6
4.3	Initial considerations with the LADO	6
4.4	When immediate action is required	7
4.5	Initial Consideration Meetings	7
4.6	Professional Strategy Meeting	7
4.7	Who attends the meeting?	8
5.	<u>Confidentiality</u>	9
5.1	Data protection	9
5.2	Information Sharing	9
5.3	Confidentiality agreement	9
5.4	Requests for minutes of meetings	10
6.	<u>Record Keeping</u>	10
6.1	Purpose of records	10
6.2	What records should Senior managers make?	10

6.3	What records should the employer keep?	10
6.4	What records does the LADO keep?	10
6.5	What is included in PSM minutes?	11
6.6	How long are records retained?	11
6.7	References	11
7.	<u>Consideration of suspension</u>	11
7.1	Duty of employer	12
7.2	What should be recorded?	12
8.	<u>Actions on conclusion of the case</u>	12
8.1	Categorising the Allegation	12
8.2	Disciplinary proceedings	12
8.3	Referral to professional/regulatory body or DBS	13
8.4	Sharing outcomes	13
8.5	Lessons learned	13
9.	<u>Challenging practice</u>	13
10.	<u>Historical abuse</u>	14
11.	<u>Further Information</u>	15
Appendix A	Links to other documents	16
Appendix B	Key BSCB agencies	17
Appendix C	First Five Minutes	18
Appendix D	Possible Professional Strategy Group	19
Appendix E	Guidance for staff attending a professional abuse strategy meeting	20
Appendix F	Consideration of alternatives to suspension	22
Appendix G	Definitions	24
Appendix H	Clarification of actions regarding references (schools only)	26

1

INTRODUCTION

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment that secures the wellbeing and very best outcomes for children and young people in their care; however children can be subjected to abuse by those who work with them in any and every setting.

We also know that some professionals may feel vulnerable to false allegations. The length of time taken to deal with cases, plus the widespread publicity some cases attract can have very damaging effects on children, the adults involved, their families and their carers. It is in everyone's interest to have a rigorous, fair and timely system for dealing with allegations of abuse.

There are now two main guidance documents which relate to Managing Allegations, Keeping Children Safe in Education 2023 (KCSIE 2023) which is for schools only and Working Together 2023 (WT2023), for all other agencies which includes little guidance around managing allegations.

This document provides practice guidance for employers and Local Authority Designated Officers (LADOs), now referred to in guidance as Designated Officer when allegations are made. It does not replace or take priority over any aspect of employment law and should be used in conjunction with Bolton Safeguarding Children Partnership procedures.

The overall aim of the Managing Allegations Procedures is to safeguard the children's workforce.

1.1

Duty placed upon Local Safeguarding Children Boards

Working Together 2023 (which reinforces Section 11 Children Act 2004) places a duty on the Local Safeguarding Children Board (LSCB) to have a clear policy for managing allegations against those who work with children and young people and for its partner agencies to have clear policies, in line with that of the LSCB, for dealing with allegations against people who work with children. Such policies should make a distinction between an allegation, a concern about the quality of care or practice or a complaint.

1.2

Duty placed upon organisations

WT2023 states that 'people in a position of trust' or Organisations and agencies working with children and families should have clear policies for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice, or a complaint.

1.3

What is an allegation?

An allegation may relate to a person who works with children who has:

- behaved in a way that has harmed a child, or may have harmed a child

- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

2

PRINCIPLES

Bolton Safeguarding Children Partnership believes Children and young people have the right to be safeguarded in the community and safely access services. Children and young people should be able to trust the adults that they come into contact with in their wider community.

It is everyone's responsibility to ensure that children and young people can safely form relationships with adults who work with them in both a professional and volunteer capacity. Therefore, if there is concern that someone who works with children and young people – in a position of trust – may have met the criteria in section 1.3; then the Managing Professional Allegations procedure must be followed. Contact should be made with the Local Authority Designated Officer (LADO) within **one** day.

2.1

What do we mean by professional?

The term professional is used throughout to refer to people acting on behalf of an agency whether in a paid, professional or voluntary capacity, this includes foster carers.

It is not possible in a single document to differentiate between the many different providers of services to children. Individual organisations or professionals may need to adapt the terminology used when applying this guidance to their own circumstances.

Section 11 of the Children Act 2004 places duties on a range of organisations, agencies, and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

2.2

Who is the procedure for?

It is important to remember that statutory guidance and legislation relating to managing allegations is directed at the employer. It is the employer's duty to adhere to the guidance and to seek the advice of the LADO. Where there is no 'obvious' employer the allegations should be brought to the attention of the LADO.

KEY ROLES

Case Manager

The Senior Manager within the organisation is the senior person to whom all allegations or concerns are reported and has overall responsibility for:

- Ensuring procedures are properly applied and implemented; and
- Providing advice, information and guidance for staff within the organisation.

It is critical that the relationship between the LADO and the Senior Manager is clear to all LSCP member organisations. The LADO should act independently of any organisation involved in the allegation concerned.

In a school, the Senior Manager is the Head Teacher, or in cases where allegations are in relation to the Head Teacher, this responsibility lies with the Chair of Governors.

Named Senior officer (NSO)

All LSCP member organisations should have a named senior officer with overall responsibility for:

- Ensuring that their organisation operates procedures for dealing with allegations;
- Resolving any inter-agency issues; and
- Liaising with the LSCP on the subject.

This role relates to the management and oversight of individual cases.

Local Authority Designated Officer (LADO)¹

The LSCB should have in place a LADO to be involved in the management and oversight of individual cases. The LADO should provide advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. The LADO role covers any individual working with children in Bolton and from all agencies and sectors.

Child Protection Unit

Officers, who may advise, deputise for LADO in their absence.

Bolton Safeguarding Children Partnership (BSCP)

¹ Now referred to in guidance as Designated Officer however BSCB have chosen to continue using the title of LADO.

A statutory partnership responsible for making sure that children and young people in Bolton are safe. BSCP members include representatives from Bolton Council, Health agencies, Police, Probation, local Schools, Children and Family Court Advisory Support Service (CAFCASS), the faith and voluntary sector. Contacts for BSCP partners can be found at Appendix B.

4 THE PROCESS

4.1 The criteria for referral to LADO

All those involved in the management of allegations should be familiar with the process which must be followed for considering information arising from an allegations or concern about the behaviour of an adult working with children.

The process of managing allegations starts where information comes to the attention of a manager which suggests that an adult working with children may have:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he/she may pose a risk of harm to children;
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Concerns or allegations about the behaviour of an adult may be brought to the attention of a manager in a variety of ways. For example:

- An allegation made directly by a child or parent;
- An allegation made by a colleague or member of staff;
- Information from police or local authority social care team;
- Information from a third party or the general public;
- Information disclosed anonymously or online; or
- Concerns generated through an employment relationship.

The procedures allow for consideration of the adult's behaviour at the earliest opportunity when a concern or allegation arises and is brought to the manager/employer's attention.

Where there is no employer, the allegation should nevertheless be brought to the attention of the LADO and the process described below be followed.

4.2

When to contact the LADO

The LADO should be informed within one working day of all allegations that come to an employer's attention, which appear to meet the criteria. Before contacting the LADO, schools and colleges should conduct basic enquiries in line with local procedures to establish the facts and to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation. For example whether:

- the individual was in the school or college at the time of the allegations
- the individual did or could have come into contact with the child
- there were any witnesses, and
- there is any CCTV footage.

Employers may also seek the advice of the LADO where an employee's behaviour is a matter for concern to his/her manager because it compromises or may be seen to compromise the reputation and ability of the organisation to safeguard children and young people. Some examples of this may be where an individual has:

- Contravened or has continued to contravene any safe practice guidance given by his/her organisation or regulatory body;
- Exploited or abused a position of power;
- Acted in an irresponsible manner which any reasonable person would find alarming or questionable given the nature of work undertaken;
- Demonstrated a failure to understand or appreciate how his or her own actions or those of others could adversely impact upon the safety and well being of a child;
- Demonstrated an inability to make sound professional judgements which safeguard the welfare of children;
- Failed to follow adequately policy or procedures relating to safeguarding and promoting the welfare of children;
- Failed to understand or recognise the need for clear personal and professional boundaries in his or her work;
- Behaved in a way in her or her personal life which could put children at risk of harm;
- Become the subject of criminal proceedings not relating to a child;
- Become subject to enquiries under local child protection procedures and/or child subject to Child Protection Plan;
- Behaved in a way which seriously undermines the trust and confidence placed in him or her by the employer.

4.3 Initial considerations with the LADO

The purpose of an initial discussion is for the LADO and the Senior Manager to consider the nature, content and context of the allegation and agree a course of action.

The LADO may ask the senior manager to provide or obtain any additional information which may be relevant, such as previous history, whether the child/family have made similar allegations and current contact with children.

This initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, and the manager will then decide how best to proceed within their organisation.

For all other cases, the discussion will then focus on agreeing a course of action including deciding whether the information meets agreed thresholds to hold a Strategy Meeting under child protection procedures, and whether suspension of the adult is appropriate. The LADO should ascertain the views of police and/or children's social care as to whether the member of staff should be suspended from contact with children. The decision to suspend rests with the employer alone and it cannot be requested by another agency, although the employer should have regard to the views of investigative agencies if involved. Suspension should be seen in this context as a neutral act.

4.4 When immediate action is required

Some allegations are as serious as to require immediate referral to social care and to police for investigation. Others are much less serious, and at first sight may not seem to warrant consideration of a police investigation or enquiries by children's social care. However, it is important to ensure that even apparently less serious allegations are seen to be followed up, and that they are examined objectively by someone independent of the organisation concerned.

4.5 Initial Consideration Meetings

If the information about an adult's behaviour does not require a Strategy Meeting under Section 47 to be held, then a similar meeting should nonetheless be called to evaluate jointly the level of concern and to determine whether, and if so how, the behaviour has called into question the person's suitability to continue working with children in her or her current position.

If from the information received the LADO decides that the threshold for harm has been met, or that a criminal act has taken place, or that the person's behaviour may indicate that he/she is unsuitable to work with children or young people, the LADO will liaise with key agencies to organise an Initial Consideration Meeting.

If an Initial Consideration Meeting is to be held, then it should take the form of a face-to-face meeting wherever possible. It is important that the employer is represented. Other than in exceptional cases, this would normally be the Senior Manager and the meeting should include a representative from the employer's HR service (where applicable). It is also recommended that police, social care and any other agencies or organisations involved should be present.

4.6

Professional Strategy Meeting (PSM)

If from the information received the LADO considers that the threshold for harm has been met, then the LADO will liaise with the Children's Social Care team manager to organise a Section 47 Strategy Meeting. The team manager will chair the Section 47 Strategy Meeting and the LADO will attend where possible. If the arranged Strategy Meeting has all the relevant agencies round the table, then once the child's needs have been discussed the second consecutive meeting/allowing people to leave or arrive, should be used to discuss what should happen to the alleged member of staff rather than setting up a separate meeting for this at a later date, this is to minimise delays.

The employer should consider carefully and, together with the LADO, should keep under review decisions as to who else should be informed of any suspension and/or investigation, e.g. senior members of staff, and to what extent confidentiality can or should be maintained according to the circumstances of a particular case. The LADO should seek advice from the police and children's social care as appropriate.

What to record

In reaching a judgement on an allegation the Senior Manager and LADO, in consultation with other professionals as appropriate, should specify and record their concerns clearly indicating why the behaviour may be inappropriate and identifying any potential risk to a child. A written record of this discussion and the agreed outcomes should be made by the LADO and shared with the senior manager. The employee should be informed of the outcome in writing subject to any multi-agency recommendations to the contrary.

Strategy Meeting – minimising delays

If the arranged Strategy Meeting has all the relevant agencies round the table, then once the child's needs have been discussed, the second part of the meeting (or a second consecutive meeting, allowing people to leave) should be used to discuss what should happen to the alleged member of staff, rather than setting up a separate meeting for this at a later date.

4.7 Who attends the meeting?

There is no requirement for police and social care to attend PSMs. This process is distinct from a sec47 enquiry and it is at the discretion of the LADO who is invited. Those who hold information, can advise and those who may be able to act on recommendations would be invited. This may include Police, Social Care, employer or senior manager (case manager). In the case of a Head Teacher this would be the Chair of governors. See guidance for staff attending a professional strategy meeting (**see Appendix F**).

5 CONFIDENTIALITY

5.1 Data Protection

Information sharing is vital to safeguarding and protecting the welfare of children and young people.

The Data Protection Act 1988 and the Human Rights Act 1998 are the two main legislative frameworks governing how and what and in what circumstances information may be shared. However disclosure of any confidential information should always be appropriate for the purpose and only to the extent necessary to achieve that purpose.

Information sharing: guidance for practitioners and managers 2008 supports those who have to make decisions about information sharing on a case by case basis.

5.2 Information Sharing

Professional strategy meetings are held under strict confidentiality agreements between the group, and the meeting is held on behalf of Bolton Safeguarding Children's Board. All those invited to PSM will receive minutes, which also carry this confidentiality agreement.

5.3 Confidentiality agreement

The information discussed within a meeting is of a highly confidential nature and reports should not be copied without the prior consent of the author of the report or the chair. Any information discussed verbally within the meeting also should not be passed onto anybody outside the meeting without first obtaining the permission of the person who provided that information, or the chair.

All information relating to the subject of the allegation and the alleged victim should be shared at PSM. Police and Social Care should seek permissions to share statements etc., where relevant.

Information sharing is vital to safeguarding and promoting the welfare of children and young people.

The Data Protection Act 2018 and the Human Rights Act 1998 are the two main legislative frameworks governing how, what and in what circumstances information may be shared.

5.4 **Requests for minutes of meetings**

The minutes of the professional strategy meeting are extremely confidential. Agencies and regulatory bodies may request a copy of the minutes but these may not be shared without the permission of the chair.

For Disclosure and Barring Services (DBS) purposes this may be requested under section 40 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 and the SVGA regulations 2008 and falls within schedule one. Advice should be first sought from LADO or legal team before sharing.

Where a request is submitted under Subject Access Request under the Data Protection Act 2018 or Freedom of Information request to the Local Authority this would be redirected to BSCB, who would consider the application under this legislation.

*A redacted version, prepared by the employer or relevant member of the professional strategy group, may be shared under certain circumstances, **only** after approval by LADO. This redacted version may require summarising to allow the information to be read in context.*

6. **RECORD KEEPING**

6.1 **Purpose of Records**

The purpose of keeping records of allegations managed is to enable accurate information to be given in response to future requests for references. It will provide future clarification where DBS disclosures reveal information from the police about an allegation, that did not result in a criminal conviction and it will help prevent unnecessary reinvestigation if, as sometimes happens, an allegation resurfaces after a period of time.

Record keeping is an integral part of the management of allegations. Complete and accurate records will need to contain information which provides comprehensive details of:

- Events leading to the allegation or concern about an adult's behaviour;
- The circumstances and context of the allegation;
- Professional opinions;
- Decisions made and the reasons for them;

- Action that is taken;
- Final outcome.

6.2 What records should Senior Managers make?

The senior manager or employer should ensure that a factual account of the allegation is initially recorded, dated and signed. A chronology of events initiated and key information identified.

6.3 What records should the employer keep?

It is important that employers then keep a clear and comprehensive summary of any allegations made, details of how the allegations were followed up and resolved and of any action taken and decisions reached. These should be kept in the subject's confidential personnel file and a copy given to them.

The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention. (Page 105 ^(424.) KCSIE 24)

Employers, managers and officers who are involved in the process of managing allegations should follow the principles of record-keeping contained within the Data Protection Act 2018, the Human Rights Act 1998 and the Freedom of Information Act 2002

6.4 What records does the LADO keep?

The LADO should keep an accurate record of all referral discussions, recommendations made and any outcomes which are resolved at Initial consideration stage (i.e. resolved by a single agency without the need for a PSM). The LADO records and retains all relevant information on behalf of BSCB.

6.5 What is included in PSM minutes?

It is important that comprehensive minutes are taken of PSM discussions together with professional opinions, events leading to the allegation, with context of any incidents and a clear rationale for decisions and recommendations made. The LADO case file should record actions taken and final outcomes.

6.6 How long are records retained?

It is a Greater Manchester Safeguarding decision that records will be retained until a person reaches 100 years old (The North West LADO group have reviewed this and are looking at records for different outcomes to be retained for different periods, 100 years from the date of closure for cases found to be substantiated or unsubstantiated, the rationale behind this is that there are more historic allegations coming to light. Often victims will only make allegations years after a person is deceased therefore LADO information may be required, this is currently with IGU for review).

All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

6.7

References

KCSIE 2016 gives clear directions with regards to information to be retained and shared in response to references with respect to Teachers and School staff which differs significantly to that of all other professionals. (**See Appendix G** for clarification in relation to Teachers and School staff **only**). All other employers should refer to their own procedures and policies.

7.

CONSIDERATION OF SUSPENSION

Suspension should be considered in every case where:

- There is cause to suspect a child is at risk of Significant Harm;
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

Suspension should not be seen as an automatic response to an allegation or imposed as a 'knee jerk action'. A decision to suspend without careful thought could impede a police investigation. In some cases it will not be immediately obvious that suspension is appropriate and the need for this course of action may only become clear after information has been shared with, and discussion had, with other agencies and the employer's Human Resources provider

While weighing the factors as to whether suspension is necessary, alternatives to suspension should be considered if available and deemed suitable. This may be achieved by:

- The individual undertaking duties which do not involve direct contact with the child concerned or other children e.g. office work;
- Providing an assistant/colleague to be present when the worker has contact with children.

It may be appropriate to use an alternative to suspension when an allegation is first made. This would allow time for an informed decision regarding suspension to be made and possibly reduce the initial impact of the allegation. This will however depend upon the nature of the allegation.

The PSM will seek advice from Police and Social Care colleagues; however, the group can only make recommendations. The decision to suspend lies purely with the employer.

7.1 **Duty of employer**

The employer will decide on whether the individual should continue to work at the school or college, based on consultation with the LADO who will provide relevant information received from the police or local authority children's social care on whether they have any objections to the member of staff continuing to work during the investigation of the case.

The employer should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. (**See Appendix G**).

7.2 **What should be recorded?**

If immediate suspension is considered necessary, the case manager should record the rationale and justification for such a course of action. This should also include what alternatives to suspension have been considered and why they were rejected.

8 **ACTIONS ON CONCLUSION OF THE CASE**

Whilst guidance urges that cases are resolved as quickly as possible, some cases which require protracted police investigation and court proceedings can become lengthy. The LADO should review the case at regular intervals and update the group on any progress. It is vital that the group has access to all information and are involved/informed of the resolution of the case. The group may make recommendations to support the subject of the allegation should they return to work from any suspension.

8.1 **Categorising the Allegation**

The definitions that should be used when schools and colleges determine the outcome of an allegation are set out below:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence, or
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

8.2 **Disciplinary proceedings**

In those circumstances, during the joint assessment meeting the LADO should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or local authority children's social care should also inform that decision. The options will depend on the circumstances of the case and the consideration should take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

8.3 **Referral to professional/regulatory body or DBS**

There is a legal requirement for employers to make a referral¹³⁴ to the DBS where they consider an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child (paragraph 353-356 KCSIE 24 for further information). The DBS however will only consider referrals for those working in 'regulated activity' or in 'regulated environments'. Therefore the employer should consider guidance provided by DBS and their personnel advisor.

If the subject is regulated by a professional body or regulator e.g. GMC, Ofsted, The Teaching Agency, then consideration should be given by the employer of referral to that body within one month.

8.4 **Sharing outcomes and Support**

Children and families involved in the allegation should be made aware of services that exist locally and nationally which can offer support and guidance by the local social care team. They should be provided with any necessary information regarding independent and confidential support, advice or representation.

Parents or carers of the child should always be kept informed of the process of an investigation. This will be by social care team social worker or by allocated social worker or a nominated professional.

Parents or carers, and the child where appropriate, should be told the outcome as soon as possible after the decision of the panel has been reached.

It is important for employers to take into account the emotional effects that allegation investigations can sometimes bring to a workplace (regardless of the outcome or whether staff are involved or not) and for those organisations that do not have good HR/aftercare to consider that staff may have unresolved feelings and will need support.

Employers/governing bodies have a duty of care to their workers and should act to manage and minimise the stress inherent in the allegations and disciplinary process. Support to the individual is key to fulfilling this duty.

Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by social care or police.

They should be advised to contact their trade union representative, if they have one, and given access to welfare counselling or medical advice where this is provided by the employer.

Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be discouraged except where it is likely to be prejudicial to the gathering and presentation of evidence.

Throughout the process the individual should be aware of the concerns and why his or her suitability to work with children is being questioned and given the opportunity to state his or her case.

When an employee returns to work following a suspension, or on the conclusion of a case, arrangements should be made to facilitate his or her reintegration. This may involve informal counselling, guidance, support, re-assurance and help to rebuild confidence in working with children and young people.

9

CHALLENGING PRACTICE

The managing allegations process and the role of the LADO is statutory within WT2023 and sits within the BSCB framework.

Information under these procedures is gathered on behalf of and retained by the BSCP, information is given voluntarily and is retained by the agencies and professionals providing it.

In the event the subject or any Professional wishes to complain in relation to either the process or the outcome of any Professional Strategy Meeting, the complaint should be referred in writing, in the first instance, to Head of Service, Child Protection Unit, Westhoughton Town Hall. The Head of Service of Child Protection Unit will investigate the complaint and if necessary escalate the matter to the Chair of Bolton Safeguarding Children Board, who will Review the process followed and/or the outcome of any Professional Strategy Meeting. The Chair may take the following action:

- (i) Arrange for any meeting to be re-convened in order that consideration may be given as to whether the process has been followed
- (ii) Arrange for any meeting to be re-convened in order that any decision may be further considered and if appropriate a different outcome substituted.

10

HISTORICAL ABUSE

Where an adult makes an allegation to a school or college that they were abused as a child, the individual should be advised to report the allegation to the police. Non recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with local authority children social care and the police. Abuse can be reported no matter how long ago it happened.

This page has been intentionally left blank.

Links to other documents

1. [Working Together to Safeguard Children \(2023\)](#)
2. [Keeping Children Safe in Education \(2023\)](#)
3. [Safe guarding children and safer recruitment in education](#)
4. [NSPCC Safeguarding and CP Standards for Voluntary and Community Sector.](#)
5. [Bolton Safeguarding Children Board Managing Professional allegations](#)
6. [The Children Act 2004](#)
7. [Educations Act 2011](#)
8. [Information sharing: guidance for practitioners and managers \(2024\)](#)
9. [Disclosure and Barring Service](#)
10. [Use of reasonable force](#)
11. [Greater Manchester Safeguarding Children Procedures Manual](#)

BSCB contacts**Appendix B**

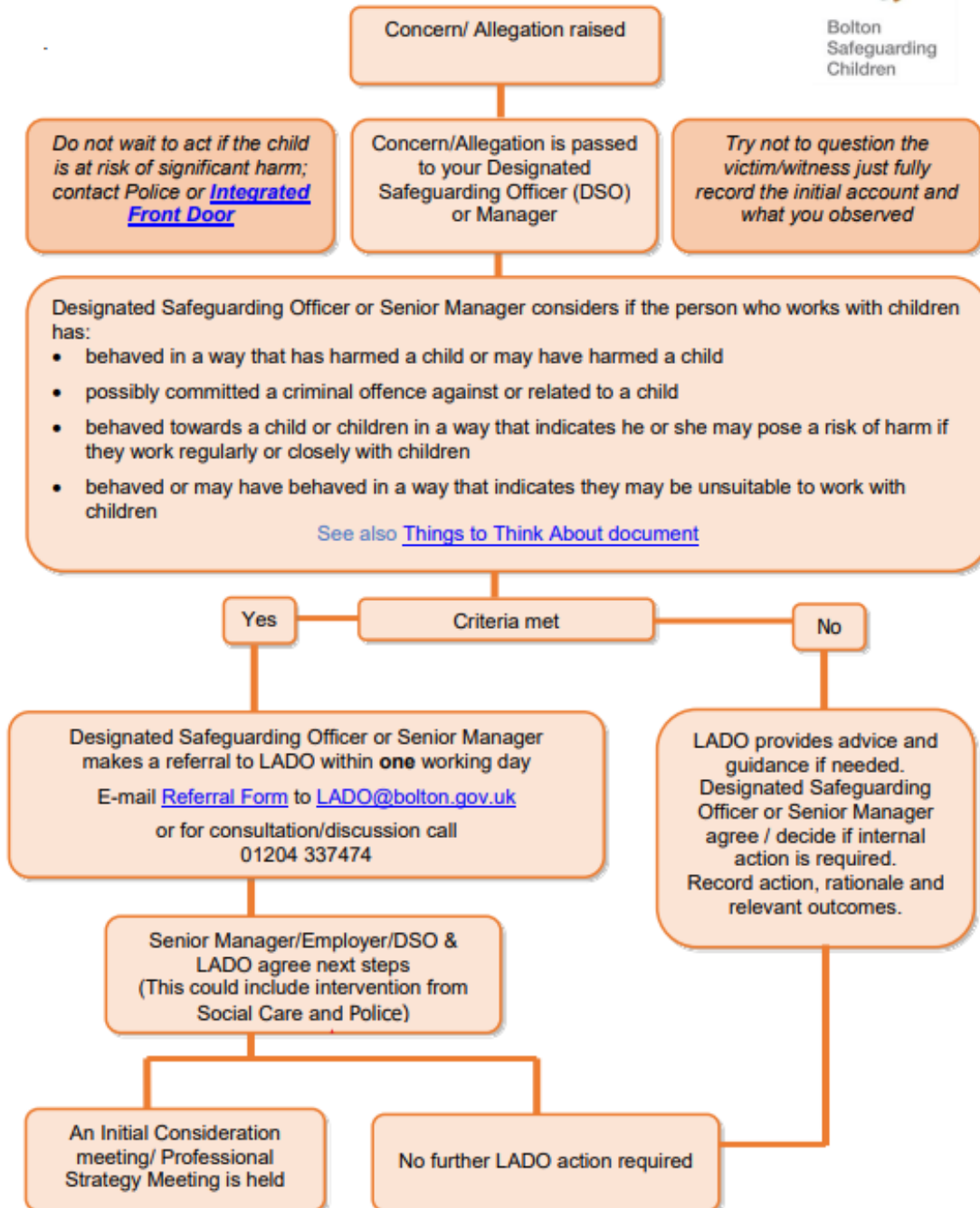
Key Agency	Role	Contact
Children's services	Head of Service Child Services	07385 972887 – Judith Wilkinson 01204337400
Bolton Council of Mosques		01204363680
Education settings	Safeguarding in Education Officer Child Protection Unit	01204 337472 – Jo Nicholson
Clinical commissioning group	Associate director safeguarding Ground floor St Peters House Silverwell St, Bolton	
Bolton NHS Foundation trust	Brightmet and Tonge 0-19 Service Little Lever 0-19 Service (Little Lever Start well clinic)	01204336745 01204336358
Probation service	District Manager	01204874100
Greater Manchester Police	Superintendent Public protection and Investigations unit (PPIU)	0161 856 6583
LADO	Lisa Kelly LADO Child Protection Unit	01204 337474 LADO@bolton.gov.uk

**Managing Professional Allegations
Local Authority Designated Officer (LADO)**

'First Steps'



Bolton
Safeguarding
Children



Bolton LADO - Lisa Kelly
01204 337474 LADO@bolton.gov.uk
[LADO Webpage](#)





There is no requirement for LADO to invite police and social care to attend PSMs. This process is distinct from a sec47 enquiry and it is at the discretion of the LADO who is invited. Those who hold information, can advise and those who may be able to act on recommendations would be invited. This may include Police, Social Care, employer or senior manager (case manager). In the case of a Head Teacher this would be the Chair of governors. These would agencies make up the Professional Strategy Group.



Managing Professional Allegations (LADO)



Guidance for staff attending an Initial Consideration meeting or Professional Strategy meeting

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment that secures the wellbeing and very best outcomes for children and young people in their care; however children can be subjected to abuse by those who work with them in any and every setting.

We also know that some professionals may feel vulnerable to false allegations. The length of time taken to deal with cases, plus the widespread publicity some cases attract can have very damaging effects on children, the adults involved, their families and their carers. It is in everyone's interest to have a rigorous, fair and timely system for dealing with allegations of abuse.

Occasionally an allegation may be so serious that child protection concerns will need to be addressed by a Section 47 enquiry by police and social services prior to an Initial Consideration or Professional Strategy meeting.

When might an Initial Consideration Meeting (ICM) be convened?

Sometimes, it is not clear whether a situation meets LADO threshold and it is necessary to call a multidisciplinary meeting to consider this. Often during an ICM, it is agreed that the LADO threshold is met and the status of the meeting changes to a Professional Strategy meeting.

What happens at a Professional Strategy meeting (PSM)?

The Strategy Meeting Group will discuss the allegation and cover the following areas:-

- Review the case against three criteria: criminal, disciplinary or Child Protection.
- Review any previous concerns or allegations regarding the conduct of the accused person.
- Consider whether a Section 47 Enquiry (Children Act 1989) has been carried out or is required and/or police investigation and consider the implications.
- Consider whether any parallel disciplinary process should take place.
- Determine what information can be shared, with whom and when.
- Ensure that arrangements are in place to protect the child/ren involved and any other child/ren affected.
- Consider what support should be provided to all children who may have been affected directly and indirectly.
- Make arrangements to inform the child's parents/carers or the parents/carers of any other children involved, and consider how to provide them with support and information during enquiries.
- Make recommendations, where appropriate, regarding suspension, or alternatives to suspension.



- Agree protocols for reviewing and consider the need to share the statements and evidence with the employer or voluntary organisation.
- Consider what support should be provided to the subject of the allegation and others who might have been affected.
- Formulate actions in regards to the above

Checklist for staff attending an Initial Consideration or Professional Strategy meeting

If you are invited to attend one of these meetings in respect of the subject of the allegation or the alleged victim, you will be part of a multi-disciplinary professional group. This checklist is aimed to assist and offer support about what information to provide when invited to an Initial Consideration or Professional Strategy meeting. It is important that attendees are able to participate fully.

	Ask yourself	X / ✓
	Am I able to bring along relevant information?	
	Am I able to action or feedback tasks?	
	Is this person known to my service?	
	Am I familiar with the case notes?	
	Do I feel there may be a conflict of interest? Do I know the subject personally/work closely with the subject?	
	Has a section 47 enquiry been carried out? Is one required prior to the Professional Strategy meeting?	
	If you can please bring along (where appropriate):	
1	Name, address, DOB of alleged victim(s)	
2	Name, address, DOB of subject(s)	
3	Chronology of recent events	
4	What you know about the incident	
5	What you know about the victim	
6	What you know about the subject(s) of the allegation	
7	Any record/ notes of interviews	
8	Any record/ notes of assessments	
9	Historical information about the alleged victim	
10	Historical information about the subject(s) of the allegation	

LADO can be contacted on LADO@bolton.gov.uk

Tel: (01204) 337474



Consideration of alternative to suspension

The possible risk of harm to children posed by an the subject of an allegation should be evaluated and managed. In some rare cases that will require the employer to consider suspending the subject of the allegation until the case is resolved. Suspension must not be an automatic response when an allegation is reported; all options to minimise risk and avoid suspension should be considered prior to taking that step.

Suspension should be considered only in a case where there is cause to suspect a child or other children is/are at risk of significant harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children or until the allegation is resolved, and may wish to seek advice from their personnel adviser. At the PSM the chair will seek Police and Social care recommendations regarding possible suspension in order to help advise the employer.

The employer should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the LADO, police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the alternatives below should be considered by the case manager before suspending a member of staff:

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found not to be substantiated.

If immediate suspension is considered necessary, the rationale and justification for this should be agreed and recorded by both the employer and the LADO. This should also include what alternatives to suspension have been considered and why they were rejected.

Consideration of alternative to suspension

Name of subject of the allegation :

Date :

Advice sought from:

Date/Time:

Alternatives considered / discussed –

1. Redeployment within the organisation so that the individual does not have direct contact with the child or children concerned;

2. Providing an assistant to be present when the individual has contact with children;

3. Redeploying to alternative work so the individual does not have unsupervised access to children;

4. Moving the child or children to a place where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted;

5. Temporarily redeploying the member of staff to another role in a different location eg. to an alternative school or college or work for the local authority or academy trust.

Recommendation made:

Definitions

Adult

Refers to anyone who has attained the age of 18 years and who is employed on a paid or unpaid voluntary basis or contracted to work with or on behalf of children and young people.

Allegation

When a person, who works with children, has;

- Behaved in a way that has harmed, or may have harmed, a child,
- Possibly committed a criminal offence against or related to a child or
- Behaved towards a child or children in a way that indicates they **may** pose a risk of harm to children.

BCSP - Bolton Safeguarding Children Partnership.

Case manager – This term is used within KCSIE 2023 guidance to describe the senior manager nominated by the employer to manage an allegation on their behalf.

Children and Young People

These terms refer to children who have not yet reached their 18th birthday.

DBS

Disclosure and Barring Service. Previously ISA and CRB which combined in December 2012. This service has two functions:

- Processes criminal record checks
- Considers application of barring from working with children.

Employer

Refers to the organisation which employs, contracts, uses services of or in the absence of an employer the regulatory body e.g. Ofsted for Child minders.

Finding of fact

A case heard in family court, overseen by a judge, where findings are made on the balance of probability, when a case has not met a criminal threshold or been dealt with in a criminal court

LADO

Local Authority Designated Officer for managing allegations against those who work with children in Bolton. Now referred to in DfE guidance as Designated Officer (DO)

PPIU - Public Protection and investigations Unit (Police).

Professional

The term professional is used throughout to refer to people acting on behalf of an agency whether in a paid, professional or voluntary capacity, this includes foster carers.

PSG - Professional Strategy Group.

PSM - Professional Strategy Meeting.

Redacted

To edit or revise something in preparation for publication.

Regulatory body

Body who is responsible for the regulation of an organisation or profession such as Teaching agency, Ofsted, Charities Commission.

Safeguarding Children

The action we take to promote the welfare of children and protect them from harm.

Sub judice

Under judicial consideration and therefore prohibited from public discussion elsewhere.

Categories of allegations**Substantiated**

There is sufficient identifiable evidence to prove the allegation.

False

There is sufficient evidence to disprove the allegation.

Malicious

There is clear evidence to prove there has been a **deliberate act to deceive** and the allegation is entirely false.

Unfounded

There is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.

Unsubstantiated

This is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Dealing with allegations against Teachers and school staff

Clarification of actions regarding references
What information can and should be retained and by whom

Category recorded	HR/ Personnel files	References	LADO/CPU files	Sanctions which can be applied to pupil		
Substantiated	A clear & comprehensive summary of the allegation, how this was followed up, what action was taken and how this was resolved	Should appear	All allegations should be recorded as per NW regional retention Policy			
Unsubstantiated		Should NOT appear				
Unfounded		Should NOT appear				
False		Should NOT appear				
Malicious	Should NOT appear	Should NOT appear			May consider whether disciplinary action is appropriate (if this appears in behaviour policy)	Agencies may need to look at underlying reasons for malicious allegations
		Even if repeated allegations				
Record keeping	Records should be kept by the employer as per their own retention policy					